

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DZUNG AHN PHAM,

Defendant.

No. SA CR 19-10-JLS

ORDER CONTINUING TRIAL DATE AND
FINDINGS REGARDING EXCLUDABLE
TIME PERIODS PURSUANT TO SPEEDY
TRIAL ACT

NEW TRIAL DATE/TIME: 09-10-19 at
9:00 a.m.

PRE-TRIAL CONFERENCE: 08-30-19 at
8:30 a.m.

1 The Court has read and considered the Stipulation Regarding
2 Request for (1) Continuance of Trial Date and (2) Findings of
3 Excludable Time Periods Pursuant to Speedy Trial Act, filed by the
4 parties in this matter on February 27, 2019. The Court hereby finds
5 that the Stipulation, which this Court incorporates by reference into
6 this Order, demonstrates facts that support a continuance of the
7 trial date in this matter, and provides good cause for a finding of
8 excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161.

9 The Court further finds that: (i) the ends of justice served by
10 the continuance outweigh the best interest of the public and
11 defendant in a speedy trial; (ii) failure to grant the continuance
12 would be likely to make a continuation of the proceeding impossible,
13 or result in a miscarriage of justice; and (iii) failure to grant the
14 continuance would deny defense counsel the reasonable time necessary
15 for effective preparation, taking into account the exercise of due
16 diligence.

17 THEREFORE, FOR GOOD CAUSE SHOWN:

18 1. The trial in this matter is continued from March 12, 2019,
19 to September 10, 2019, at 9:00 a.m. The status conference hearing is
20 continued to August 30, 2019 at 8:30 a.m.

21 2. The time period from the date of this Order to September
22 10, 2019, inclusive, is excluded in computing the time within which
23 the trial must commence, pursuant to 18 U.S.C. §§ 3161(h)(7)(A),
24 (h)(7)(B)(i), and (B)(iv).

25 3. Defendant shall appear in Courtroom 10A of the Federal
26 Courthouse, 411 West Fourth Street, Santa Ana, California on August
27 30, 2019, at 8:30 a.m. and on September 10, 2019, at 9:00 a.m.
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1 4. Nothing in this Order shall preclude a finding that other
2 provisions of the Speedy Trial Act dictate that additional time
3 periods are excluded from the period within which trial must
4 commence. Moreover, the same provisions and/or other provisions of
5 the Speedy Trial Act may in the future authorize the exclusion of
6 additional time periods from the period within which trial must
7 commence.

8 IT IS SO ORDERED.

9
10 February 28, 2019

11 DATE



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HON. JOSEPHINE L. STATON
UNITED STATES DISTRICT JUDGE